

**OPINION
45-70**

April 24, 1945 (OPINION)

COUNTIES

RE: Election Supplies - Competitive Bids

Re: Printing of Ballots

Your letter of April 20, re the above matter, has come to my desk for attention.

Section 16-1101 provides that general election ballots shall be provided at the expense of the county. Section 16-1102 provides that county auditors shall provide ballots and have them printed. Section 11-11126 provides among other things that when the amount to be paid during the current year for election ballots and supplies exceeds \$300.00, the board of county commissioners shall advertise for bids. Section 11-1127 provides that the advertisement shall state what supplies are required, etc. This section also provides that the bid of the lowest responsible bidder shall be accepted, but that the board has the right to reject any and all bids. Section 11-1129 relates to the form and contents of the contract, and section 11-1130 provides that "contracts for the furnishing of election ballots and supplies shall be let by the board of county commissioners at its first regular meeting in April of each year to run for the period of one year."

It is our opinion that these sections must all be construed together if they do not conflict. It is further our opinion that there is no apparent conflict. It is our opinion that these sections must all be construed together if they do not conflict. It is our opinion that the board of county commissioners, when the amount to be paid during the current year for the purchase of election ballots and supplies exceeds \$300.00, must advertise for bids as provided in chapter 11, sections of which I have referred to. Then, when it becomes the duty of the county auditor to furnish bonds as provided in chapter 16, he must have them printed by the contractor holding the contract for the furnishing of ballots and election supplies.

Of course when the total cost of election ballots and supplies is less than \$300.00 for the entire year, no advertisement for bidders and no contract for the furnishing thereof need be made.

NELS G. JOHNSON
Attorney General